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and Third-Party Plaintiff DC Comics*

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHRISTOPHER WOZNIAK,

Plaintiff,

v.

WARNER BROS. ENTERTAINMENT INC.,

Defendant.

Civil Action No. 22-cv-08969 (PAE)

**LOCAL RULE 56.1 JOINT STATEMENT
OF UNDISPUTED FACTS RE: WARNER
BROS. ENTERTAINMENT INC. AND DC
COMICS' FORTHCOMING MOTION
FOR SUMMARY JUDGMENT**

DC COMICS,

Third-Party Plaintiff,

v.

CHRISTOPHER WOZNIAK,

Third-Party Defendant.

Pursuant to Section 3.H. of the Court's Individual Rules and Practices in Civil Cases and this Court's Order of October 10, 2023, Plaintiff/Counterclaim-Defendant Christopher Wozniak, Defendant Warner Bros. Entertainment Inc. ("Warner Bros.") and Third-Party Plaintiff DC Comics ("DC Comics" and, collectively with Warner Bros., "Movants") hereby stipulate to the following facts in connection with Movants' forthcoming motion for summary judgment:

1. On March 30, 1939, DC Comics published the first Batman story in *Detective Comics* No. 27.

2. Over the past 84 years, DC Comics has created and published hundreds of millions of copies of comic books, newspaper strips, magazines, and graphic novels worldwide containing depictions of, and stories about, Batman and his universe.

3. DC Comics has featured Batman in monthly comics such as *Batman*; *Batman: Gotham Adventures*; *Batman: Gotham Knights*; *Batman: Legends of the Dark Knight*; *Batman Beyond*; and *Detective Comics*.

4. Between 1943 and 1990, Batman “starred” in four motion pictures and serials released theatrically throughout the world: *Batman* (1943), *Batman and Robin* (1949), *Batman* (1966), and *Batman* (1989). (Batman has starred in ten additional theatrical feature films since 1990.) A physical copy of a DVD box set containing four Batman films (including *Batman* (1989), *Batman Returns* (1992), *Batman Forever* (1995), and *Batman & Robin* (1997)) was produced to Wozniak at DCC_000001 and will be filed and lodged with the Court upon the filing of Movants’ Motion for Summary Judgment; Wozniak agrees that the produced copy will serve as the service copy thereof.

5. Between 1966 and 1990, DC Comics licensed the Batman character to appear in a number of live action and animated television shows broadcast throughout the world, including *Batman* (1966-68), *The Batman/Superman Hour* (1968-69), *The Adventures of Batman* (1969), *Super Friends* (1973-77) and *The New Adventures of Batman* (1977-78), as well as several additional shows after 1990. A physical copy of a DVD box set containing *Batman* (1966-68) was produced to Wozniak at DCC_000002 and will be filed and lodged with the Court upon the

filing of Movants' Motion for Summary Judgment; Wozniak agrees that the produced copy will serve as the service copy thereof.

6. In 2022, DC Comics' licensee Warner Bros. released the motion picture *The Batman*. The film did not continue the stories of prior Batman movies; rather, it was a "reboot" of Batman as a film franchise and featured a new take on the character. A copy of *The Batman* was produced to Wozniak at WB_000001 and will be filed and lodged with the Court upon the filing of Movants' Motion for Summary Judgment; Wozniak agrees that the produced copy will serve as the service copy thereof.

7. Matt Reeves, along with other writers, wrote and directed *The Batman*.

8. Artist Christopher Wozniak performed freelance work for DC Comics at various times between 1985 to 1999.

9. Though he occasionally wrote and submitted stories to DC Comics "on spec," none were ever accepted or published.

Respectfully Submitted,

LAW OFFICE OF R. TERRY PARKER

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